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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/032,992

12/26/2001

Stephane Penain

FR 000156

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7590

04/29/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

PATHAK, SUDHANSHU C

ART UNIT

PAPER NUMBER

2634

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

OK

<b>Office Action Summary</b>	Application No. 10/032,992	Applicant(s) PENAIN ET AL.	
	Examiner Sudhanshu C. Pathak	Art Unit 2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on December 26<sup>th</sup>, 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on December 26<sup>th</sup>, 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-to-2 are pending in the application.

#### *Drawings*

2. Figure 1 should be designated by a legend such as "Prior Art" because only that which is known is illustrated. Correction is required.

#### *Specification*

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

4. Applicant is also reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. **The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.**

The language should be clear and concise and should not repeat information given in the title.

5. The abstract of the disclosure is also objected to because:

- The Abstract on line 3 discloses "an IS circuit" it is not clear what this acronym stands for.
- The Abstract on line 10 discloses "Fig. 1." It is not clear what this refers to.

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6. The title of the invention, "Transfer of a series of data" is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. A suggested title is "A method and apparatus for decoding a MPEG data". The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
7. Applicant is also reminded of the proper language, format and content of the specification.

#### **Content of Specification**

- (a) Title of the Invention
- (b) Cross-References to Related Applications
- (c) Statement Regarding Federally Sponsored Research and Development
- (d) The Names Of The Parties To A Joint Research Agreement
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc
- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s)
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is

necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (j) Claim or Claims
- (k) Abstract of the Disclosure
- (l) Sequence Listing

### ***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 & 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Claims refer to "transmitting only a start of the series of samples which extends to the point where the samples that remain are equal to a reference". The specification on Page 3, lines 3-13 discloses quantified coefficients are represented by small squares wherein a white square represents quantified coefficients whose value is specified inside the square (Fig. 2), and a black square represents a quantified coefficient whose value is equal to zero (Fig. 2). The specification also discloses the scanning is stopped at the first

black square. However, the specification on Page 3, line 11 and Fig. 2 also discloses a white square with a quantified coefficient value of zero, it is not clear as why this is not a black square and why the scanning does not stop at the first (black square) quantified coefficient value of zero and if it is the subsequent non-zero quantified coefficient (white square) is not scanned thus losing data value. It needs to be qualified as to when the "end of transmission" is implemented and how the above issue is resolved. Furthermore, it is not clear if the invention is implemented in the transmitter (encoder) or the receiver (decoder). It is assumed the quantizer is implemented in the encoder and a de-quantizer is implemented in the decoder.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1 & 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruder (5,283,646) in view of in Morrissey et al. (5,553,302).

Regarding to Claims 1 & 2, Bruder discloses a method and apparatus (data processing device) for encoding and decoding real time video data so as to transmit / receive the desired number of bits per frame (Abstract, lines 1-6 & Fig. 1 & Fig. 2 & Column 3, lines 24-40). Bruder also discloses implementing the method for MPEG video compression standard (Column 3, lines 25-40). Bruder also discloses the

receiver comprising a decoder, a de-quantizer and an inverse DCT module and a reconstruction module (Fig. 2, elements 25-28 & Column 5, lines 38-65). Bruder also discloses "interframe" encoding/decoding wherein each block of image data in terms of the differences between the block of data and a reference block of data wherein the transmitter transmits the difference information to the receiver since the receiver maintains copies of the reference images so as to reconstruct the block of data by combining the difference information with the reference image (Column 3, lines 62-68 & Column 4, lines 1-2). Bruder also discloses the reference image to be a zeroed reference block (a block in which each pixel data equals zero) or the corresponding block of the last frame should be used as the reference for the current frame (Column 4, lines 3-15). However, Bruder does not disclose the data processing device to comprise a bus system to transfer a series of samples and further does not disclose transmitting an "end of transmission" indicator when the samples that remain are equal to the reference.

Morrissey discloses an input/output (I/O) subsystem for transmitting frames containing frame control data from a serial data transfer medium (Abstract, lines 1-2 & Column 1, lines 8-12 & Column 29, lines 50-60). Morrissey also discloses the subsystem to include a sequence recognition mechanism for receiving and identifying any of a plurality of digital data bit sequences further comprising a frame recognition mechanism receives and identifies a start-of-frame (SOF) or an end-of-frame (EOF) delimiter from the data transfer medium (Abstract, lines 5-18). Morrissey also discloses the frames transmitted are protocol dependent and further

the control information in the frames is dependent on the (serial) protocol or standard implemented in the application to transfer the type of data (Column 1, lines 8-12, 47-67). Morrissey also discloses implementing the subsystem wherein the frame of data is transmitted over a serial data transfer medium (Column 4, lines 4-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention that Morrissey teaches an input / output subsystem for transmitting and receiving various control information including EOF and SOF for serial data protocols and this can be implemented in the MPEG system as described in Bruder so as to receive and identify multiple frames so as to further control the processing of the received frames and minimize processor computation and errors, thus satisfying the limitations of the claims.


### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, it is recommended to the applicant to amend all the claims so as to be patentable over the cited prior art of record. A detailed list of pertinent references is included with this Office Action (See Attached "Notice of References Cited" (PTO-892)).
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhanshu C. Pathak whose telephone number is (571)-272-3038. The examiner can normally be reached on M-F: 9am-6pm.
  - If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571)-272-3056



- The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sudhanshu C. Pathak



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